

## **DETAILED ACTION**

### ***Response to Amendment***

1. This office action is in response to the Board of Patent Appeals and Interferences (BPAI) decision filed on September 30, 2011. Claims 1-8 are pending and are allowable for reasons of record.

### ***Claim Rejections - 35 USC §102 & §103***

2. The claim rejections under 35 U.S.C. 103(a) as being unpatentable over Mizutani (US 2003/0180605) in view of Reichert et al. (US 6,217,623) and Takayama (JP 09-035738) for claims 1, 3-5, and 7-8 are withdrawn due to the BPAI decision. The claim rejections under 35 U.S.C. 103(a) as being unpatentable over Mizutani (US 2003/0180605) in view of Reichert et al. (US 6,217,623), Takayama (JP 09-035738), and Komatsu et al. (US 2002/0146626) for claims 2 and 6 are withdrawn due to the BPAI decision.

### ***Allowable Subject Matter***

3. Claims 1-8 are allowed. The following is an examiner's statement of reasons for allowance: claims 1-8 are allowable per the decision by the BPAI on September 30, 2011.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CLAIRE L. ROE whose telephone number is (571)272-9809. The examiner can normally be reached on Monday, Wednesday, Friday, 6:30AM - 4:00PM, EST and Tuesday, Thursday, 11:30AM - 6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Barbara Gilliam can be reached on 571-272-1330. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 10/576,421

Page 4

Art Unit: 1727

/C. L. R./

Examiner, Art Unit 1727

/Barbara L. Gilliam/

Supervisory Patent Examiner, Art Unit 1727